

Definitions and Guidance for Safe and Drug Free Schools Report 2003

At school — In the school building, on school property (school parking area, play area, school bus, etc.). Include activities happening in school buildings, on school grounds, on school buses, and at places that are holding school-sponsored events or activities. May include on the way to or from school.

After-school program: Any program, conducted after regular school hours that encourages drug/violence free lifestyles. Programs may be recreational, instructional, cultural, or artistic in nature.

Alternative Education: Any program for students who are not succeeding in the regular school environment, such as students who are at risk of dropping out, students who have been expelled from their regular classes, students who are undergoing outpatient treatment for drug use, etc.

Alcohol: (liquor law violations; possession, use, sale)

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This would include being intoxicated at school, school-sponsored events, and on school-sponsored transportation.

Before-school program: Any program, conducted before regular school hours that encourages drug/violence free lifestyles. Programs may be recreational, instructional, cultural, and/or artistic in nature.

Classroom teacher: Classroom teacher regardless of certification status.

Community service programs: A program that incorporate activities conducted by students for the benefit of the larger community that encourage students to lead drug/violence free lifestyles or increase students' sense of community.

Community service as an alternative to suspension or expulsion: The use of community service to eliminate or lessen time of a suspension or expulsion from school. In this case community service is used as a punishment or disciplinary action.

Comprehensive School Health Education: Comprises a planned sequential Pre-Kindergarten through Grade 12 curriculum that addresses the physical, mental, emotional, and social dimensions of health. The curriculum is designed to motivate and enable students to maintain and improve their health and not merely to prevent disease. The health education program is integrated with seven other components of the school health program and provides opportunities for students to develop and demonstrate increasingly sophisticated health-related knowledge, attitudes, skills, and practices.

Conflict resolution program: Any program offering peer mediation or conflict and anger management instruction to students.

Counselor/mental health professional: include school psychologists, mental health therapists, school social workers and school counselors.

Crime — any incident that violates any Federal, State, or local law, or statute, as opposed to simple violations of school rules.

Curriculum acquisition or development: Purchase of or local development of drug/violence prevention instructional materials for preschool through Grade 12 students. It includes acquisition or development of books, workbooks, videotapes, software, and other learning resources.

Disorderly Conduct: (serious class or campus disruption)

Any act which substantially disrupts the orderly conduct of a school function or behavior which substantially disrupts the orderly learning environment or poses a threat to the health, safety, and/or welfare of students, staff, or others. If the action results in a more serious violation, report in the more serious violation category. Administrators need to consider age and developmentally appropriate behavior before using this category.

Drugs — (illegal drug possession, sale, use, under the influence). The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation, or importation of any controlled drug or narcotic substance

or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events, and on school-sponsored transportation. Category includes over-the-counter medications if abused by the student. Category does not include tobacco or alcohol.

Drug prevention instruction: Instruction aimed at drug prevention that is presented in the classroom (e.g., a unit in a health or physical education class that teaches about tobacco, alcohol, and other drugs; drug prevention instruction that is infused into the general curriculum; or stand-alone program or curriculum.

Explosive devise: any devise that is designed to (or may readily be converted to) expel a projectile by the action of an explosive. This includes guns, bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.

Expulsion: The permanent withdrawal of the privilege of attending a school unless the governing board reinstates the privilege of attending school.

Fighting: (mutual altercation)

Mutual participation in a fight involving physical violence, where there is no one main offender and no major injury. Does not include verbal confrontations, tussles or other minor confrontations.

Firearm/explosive device – any weapon that is designed to (or may readily be converted to) expel a projectile by the action of an explosive. This includes guns, bombs, grenades, mines, rockets, missiles, pipe bombs, or similar devices designed to explode and capable of causing bodily harm or property damage.

Gun-Free Schools Act (GFSA): Requires all states to have in effect a state law (ARSS15-841) requiring local education agencies (LEA) to expel from school for a period of not less than one year a student who is determined to have brought a firearm to a school under their jurisdiction. The GFSA allows the chief administering officer of such LEA to modify such expulsion requirements on a case-by-case basis. There is nothing to prevent an LEA that has expelled a student from providing educational services to such student in an alternative setting.

The GFSA must be construed in a manner consistent with the Individuals with Disabilities Education Act (USC20 §1400-1420). Compliance with both the GFSA and IDEA can be achieved as long as discipline of such students is determined on a case-by-case basis. A student with a disability who brings a firearm to school may be removed from the school for ten days or less and placed in an interim alternative educational setting that is determined by the student's individualized education program team for up to 45 calendar days. If the student's parents initiate due process proceedings under the IDEA, the student must remain in that interim setting during authorized review proceedings, unless the parents and school district can agree on a different placement. Before an expulsion can occur, the IDEA requires a determination by a group of persons knowledgeable about the student on whether the bringing of a firearm to school was a manifestation of the student's disability. A student with a disability may be expelled only if it is determined that the bringing of a firearm to school was not a manifestation of the student's disability and the school follows applicable IDEA procedures. Under the IDEA, students with disabilities who are expelled under these conditions must continue to receive educational services during the expulsion period.

Exception: A firearm lawfully stored inside a locked vehicle on school property.

Other firearms Firearms other than handguns, rifles, or shotguns as defined in 18 USC 921. According to Section 921, the following are included within the definition: any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive; the frame or receiver of any weapon described above; any firearm muffler or firearm silencer; any destructive device, which includes: (a) any explosive, incendiary, or poison gas, (b) any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter, or (c) any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples and from which a destructive device may be readily assembled.

Handgun - handgun or pistol

Rifle - shotgun or rifle

Gang – an ongoing loosely organized association of three or more persons, whether formal or informal, that has a common name, signs, symbols or colors, whose members engage, either individually or collectively, in violent or other forms of illegal behavior.

Hate crime – a criminal offense or threat against a person, property, or society that is motivated, in whole or in part, by the offender's bias against a race, color, national origin, ethnicity, gender, religion, disability, or sexual orientation.

Crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property.

Homicide: (killed on campus)

Murder, non-negligent manslaughter, killing of one human being by another, or killing a person through negligence.

Intimidation/ bullying – to frighten, compel, or deter by actual or implied threats. It includes bullying and sexual harassment.

Larceny/Theft: (personal or school property, or from vehicle on school property)

The unlawful taking, carrying, leading, or riding away of property of another person without threat, violence, or bodily harm. Included are pocket-picking; purse or backpack snatching, if left unattended or no force used to take it from owner; theft from a building; theft from a motor vehicle or motor vehicle parts or accessories; theft of bicycles; theft from a machine or device which is operated or activated by the use of a coin or token; and all other types of larcenies. This category includes theft of such things as a car stereo or speakers. The larceny/theft category should be used only when theft is serious enough to warrant calling the police or bringing in security. Administrators need to consider age and developmentally appropriate behavior before using this category.

Law enforcement officer: a school security guard IS NOT a law enforcement officer.

Law-Related Education: Education to equip children and youth with knowledge and skills pertaining to the law, school safety, and effective citizenship; instruction regarding rules, laws, and the legal system which actively involves students for the purpose of preparing them for responsible citizenship; the instruction of legal rights, responsibilities, and the role of the citizen that requires students to practice application to potential real-life situations.

Licensed physical health professional: included are licensed or registered nurses, medical doctor or osteopaths.

Major injury: injury which requires professional medical attention, may include, but not limited to, a bullet wound, a stab or puncture wound, fractured or broken bones, concussions, cuts requiring stitches, and any other injury with profuse or excessive bleeding.

Minor injury - injury which does not require professional attention such as a scrape on the body, knee or elbow; and or minor bruising.

Motor Vehicle Theft: (includes attempted)

Theft or attempted theft of a motor vehicle. Examples include: theft of car, truck, motorcycle, dune buggy, RV, or anything that is self-propelled.

Non-School Personnel: An individual who is neither a student nor school personnel for the school or district.

Non-Student: An individual who is not a student in the school or district.

Offender: An individual, whether a student or not, involved in committing a violation of prohibitive behavior. There may be more than one offender involved in any single violation.

Parent education/involvement: Direct participation of parents or guardians in drug or violence-prevention programs.

Types of involvement include the receipt of drug and violence prevention-related programming (education or training); assisting with drug and violence prevention-related instruction or activities in the schools (e.g., as instructors, aides, mentors, etc.).

Physical attack or fight – an actual and intentional touching or striking of another person against his or her will, or the intentional causing of bodily harm to an individual.

Physical attack/harm:

An actual and intentional touching or striking of another person against his or her will or intentionally causing bodily harm to an individual. When one individual physically attacks or "beats up on" another individual. Includes an attack with a weapon or one that causes serious bodily harm to the victim. Battery also includes the actual placement of a bomb or one sent through the mail, regardless of whether the bomb explodes. This category should be used only when the attack is very serious, serious enough to warrant calling the police or bringing in security, where the intent is to do bodily harm to someone. Administrators need to consider age and developmentally appropriate behavior before using this category.

Examples include: striking that causes bleeding, broken nose, kicking while a student is down.

Prevention services/activities: All alcohol and other drug and violence prevention education services, including drug prevention instruction, violence prevention instruction, prevention-related student support services (e.g., student assistance programs), and conflict resolution programs.

Probationary Officer (PO) – a juvenile probation officer is a sworn court appointee who provides school information to the court used to determine if a juvenile is detained or returned to the community. The PO is knowledgeable about the court system and provides accurate information to students and parents. The PO may also provide law related education in the school.

Rape – forced sexual intercourse (vaginal, anal, or oral penetration). Includes penetration from a foreign object.

Robbery: (using force)

The taking, or attempting to take, anything of value that is owned by another person or organization, under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. A key difference between robbery and larceny is that at threat or battery is involved in a robbery. Examples include: extortion of lunch money.

School Grounds and Property: For reporting purposes, school grounds and property should include the school building and immediate grounds, school transportation (e.g., buses), stadiums, gymnasiums, and other facilities. Reporting of violations on school grounds and property should cover 24 hours per day, not just violations that occur during school hours. Additionally, a violation that occurs at a school-sponsored event off campus is included in the reported statistics if a student is involved as a victim or an offender.

School based/school linked health clinic: a health clinic on school grounds or directly linked to school, such as at a local hospital.

School personnel: A teacher, administrator, or other school staff member such as support staff or maintenance worker; includes a school-based law enforcement officer such as a school resource officer.

School Resource Officer (SRO) – a school resource officer is a sworn law-enforcement officer whose central mission is to keep order on campus through proactive measures such as providing instruction in law-related education. The SRO has the legal authority to arrest, but the more common day to day roles are those of law-related educator and role model.

SDFSCA: The Safe and Drug-Free Schools and Communities Act. Prior to 1994, this was known as the Drug-Free Schools and Communities Act (DFSCA).

Security equipment: Any equipment for use in maintaining a drug/violence-free school environment, for example metal detectors/beepers, cellular phones, and intercoms for security/school personnel.

Security personnel: Specially trained personnel who ensure safety and security of a school building and its occupants.

Services for out-of-school youth: Drug/violence prevention projects, activities, or services for school-aged youth not currently enrolled in school, such as dropouts and youth in detention centers.

Sexual Battery: (includes attempted)

Forcible sexual assault against the person's will or not forcibly or against a person's will where the victim is incapable of giving consent because of his/her youth or because of temporary or permanent mental incapacity. Includes rape, fondling/touching private body parts of another person, indecent liberties, and child molestation. These incidents are severe enough to warrant calling in law enforcement.

Sexual Harassment:

1. To discriminate against a student in any course or program of study in any educational institution in the evaluation of academic achievement or providing benefits, privileges, and placement services on the basis of that student's submission to or rejection of sexual advances or requests for sexual favors by administrators, staff, teachers, students, or other school board employees;
2. To create or allow to exist an atmosphere of sexual harassment, defined as deliberate, repeated and unsolicited physical actions, gestures, or verbal or written comments of a sexual nature, when such conduct has the purpose or effect of interfering with a student's academic performance or creating an intimidating, hostile or offensive learning environment.

Keys to Definition: Unwanted, repeated, verbal, or physical sexual behavior that is offensive and objectionable to the recipient, causes discomfort or humiliation, and interferes with school performance. Administrators need to consider age and developmentally appropriate behavior before using this category. The behavior may be verbal or non-verbal.

Special education student – a child with a disability, defined as mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities, and who needs special education and related services and receives these under the Individuals with Disabilities Education Act (IDEA).

Specialized school – a school that is specifically for students who were referred for disciplinary reasons. The school may also have students who were referred for other reasons. The school may be at the same location as your school.

Student support services: Programs, activities, and events that aim to prevent alcohol and other drug use. Examples include support groups, help lines, counseling services, and mentoring.

Teacher/staff training: Professional development, training, or technical assistance for teachers, certified personnel, or other staff that addresses drug or violence prevention, curriculum implementation, student support, comprehensive health education, early intervention, or rehabilitation referrals.

Threat assessment team: Group of individuals with expertise in the area of assessing violent and dangerous individuals, their communications, and their behaviors which pose a threat to the safety of school personnel and property. Ideally, the team is composed of a behavioral specialist, administrator, and law enforcement specialist.

Threat/Intimidation/bullying: (physical or verbal threat or intimidation)

To unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the person to actual physical attack. Administrators need to consider age and developmentally appropriate behavior before using this category.

Examples include: a bomb threat, threats made over the telephone or threats that someone else will beat them up.

Theft/larceny (taking things over \$10 without personal confrontation) – the unlawful taking of another person's property without personal confrontation, threat, violence, or bodily harm. Included are pocket picking, stealing purse or backpack (if left unattended or no force was used to take it from owner), theft from a building, theft from a motor vehicle or motor vehicle parts or accessories, theft of bicycles, theft from vending machines, and all other types of thefts.

Tobacco: (possession, use)

The possession, use, distribution, or sale of tobacco products on schools grounds, school-sponsored events and on school-sponsored transportation.

Trespassing: (school property or school function)

To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry, including students under suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator, or designee of the facility, campus or function.

Vandalism (destruction of school or personal property):

The willful damage or destruction of school property including bombing, arson, graffiti, and other acts that cause property damage. Includes damage caused by computer hacking.

Violence prevention instruction: Instruction that is presented in the classroom as part of a class or separate curriculum for the purposes of preventing violence.

Weapon: Any instrument or object possessed or used to inflict harm on another person or to intimidate any person.

Examples include firearms of any kind (operable or inoperable, loaded or unloaded); all types of knives (including a pocket or penknife), chains, pipes, razor blades or similar instruments with sharp cutting edges; ice picks, dirks, other pointed instruments (including pencils, pens); nunchakus; brass knuckles; Chinese stars; billy clubs; tear gas guns; electrical weapons or devices (stun guns); BB or pellet guns; or explosives or propellants.

Zero tolerance policy: A school or district policy that mandates predetermined consequences or punishments for specific offenses.